


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
NORTHERN DIVISION  
No. 2:10-CR-59-D  
No. 2:16-CV-27-D

MICHAEL WILLIE GUTIERREZ, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 UNITED STATES OF AMERICA, )  
 )  
 Respondent. )

**ORDER**

Having examined petitioner's motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 Motion to Vacate, Set Aside or Correct Sentence, within **forty (40)** days of the filing of this order.

SO ORDERED. This 20 day of July 2016.

  
\_\_\_\_\_  
JAMES C. DEVER III  
Chief United States District Judge